# THE POST OFFICE DISASTER.

Report of Postmaster James' Commission.

The Original Defects To Be Remedied-The Instructions Given and Work Performed.

Sad Results of a Defective Truss.

VERDICT OF THE CORONER'S JURY.

WASHINGTON, May 9, 1877. The commission appointed by Postmaster James of w York, under instructions from the Secretary of the Treasury, to inquire into the causes of the late accident at the New York Post Office building have made an extended report. After reciting the fact of their organization and the witnesses examined, the

THE FACTS DEVELOPED.

The facts are found to be as follows:—On July 11, 1874, this letter was sent from the Supervising Architect's office:—

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OFFICE OF SUPERVISING ARCHITECT, July 11, 1874.

"To Hon. C. T. HURLBURD, Superintendent Post Office and Court House, New York City:—

"SIR-I send herewith plan and section showing the design for the new court room to be found in the building and der your charge in the third and fourth stories, as requested by the judges of the Court. You will proceed to remove the new count room to be found in the building and der your charge in the third and fourth stories, as requested by the judges of the Court. You will proceed to remove the neor beams and to m up the room as shown in the accompanying plans, which you will please carefully review and inform me if there is any difficulty in carrying the same into effect, or if there are strong in the same into effect, or if there are strong in the same into effect, or if there are strong in the same into effect, or if there are strong in the same into effect, or if there are grown a decision is rendered in regard thereto. Very respectfully, A. o. M. ELLETT, Supervising Architect. The order to carry out the above instructions or Mr. Moltage and the supervising Architect, and the supervising Architect, was removed from a space more one of the room that floor, was removed to easily, and a brick partition will not dividing the room transversely, was removed to rease its length. This brick wall, which mat also excended through the attle story of the building and sarried a portion of the roof, was under these astructions required to be supported above the ceiling of the court room by a weaught from girder, introduced at the ime the wall was removed — the insufficiency of the sad stastrophe of May I. This girder was formed of two rolled roops and the supported above the ceiling of no beams, fifteen inches deep, placed side by side, blocked mart by five cast iron separators or filing pieces, through and of the room the supported above the ceiling of one beams, fif est.

engineer of that office, Mr. Schumann, asserts that be
knew the dimensions of this girden nor the method of
nstruction, and two witnesses, Mr. Thomas, master,
, and Mr. Worms, iron worker, testily that
were directed by the assistant superintendent,
itelmetz, to form a girder from two of
beams taken out of the floor, which was
ed to give increased height to the court room,
as states that he called the attention of Steinmetz to
sufficiency of the girder, and that he suggested the
action of a relieving arch over it in the actic wail
sto. Mr. Steinmetz insists in his testimony that he
ed it as sufficient, but still had made no calculation
strength.

reparted it as sufficient, but still had made no calculation of its strength.

At a subsequent period, the precise date of which no lestimony at solutely establishes, the grifter was discovered to show sign of weakness, as an opening about fourtient lest wice and ten feet high was taken out of the attic wail to re-leve it. When the court room ceiling was farred and instered appearently in the winter of 1874 and 1875) the citder was hidden from view. Subsequently the ceiling tracked and fractures were noticed in the brick work it the jambs of the opening of the attic wail above, and it precars that Mr. Oakshett, the present supervising inspector in charge, directed the attention of Mr. Schumann, as well as of Mr. Mullett, to the condition of both ceiling and wall, and suggested that the whose wail should be renoved, and that its place as a support for the roof deck health of the period of recommend the substitution to Mr. Hilli, the present appreciating Architect.

should be supplied by a trace, and the substitution to Mr. Hill, the present to recommend the substitution to Mr. Hill, the present Supervising Architect.

The following extreat of a letter from Mr. Mullett to Mr. Hill is in compliance with that promise;—
"New York, Dec. 2, 1876.

"James G. Hill, Esq., Supervising Architect:—
"Six-In makin, anterations in the original designs to provide for the Uniminal Court room a brick partition wall was not suitable and should have been condemned. It subsequently settled and caused a crack to appear in the cilling of the settled and caused a crack to appear in the cilling of the Assistant Superintendent by a virge causely this by the interaction of a roof truss in the other cases. Very respectfully, nestly recommend the removal of the wall and the insertion of a roof truss in the other cases. Very respectfully, "Supervising Architect New York Post Office."

On April 2, 1877, Mr. Oakshott addressed the subjoined

Six-You will no doubt remember that during one of your recent visits to this building I called your attention to the actilement of a trick wall dividing the large room in the fifth story (now used as a dormitory) and directly over the Criminal Court room. I have carefully noted the settlement and fine that the cracks in the court toom ceiling Caused by the same are increasing, and it is necessary to remove the wail at one contracting as a support for the roof a fron truss of the same devign as those now in posi-tion in the adjoining rooms. These trusses were supplied by the Kellogg Bridge Company at a contract price of \$438 07 each. Enclosed please find proposat of Messra Houvelman, Haven & Co., for supplying the additional trus for the sum of \$235, which, it will be seen, is \$205 07 less than the contract price of the Kellogg Bridge Com-pany.

rines for the sam of \$2.55, which, it will be seen, is \$2.55 or panly.

"In view of the emergency of the case, I have accepted the proposal of Messrs. Heuvelman, liaven & Uo., and, as the work is properly preservation and repair of a public building, I would respectfully request that the expenditure be authorized from that appropriation. Very respect ully, "T. H. OAKSHOTT, Supervising Inspector in charge."

Mr. Hill approved the action of Mr. Oakshott, as expressed in the following communication:

"TROMAS II. OAKSHOTT, Supervising Inspector in charge."

"TROMAS II. OAKSHOTT, Supervising Inspector in charge of United States Post Office and Court House, New 1075.

"TROMAS II. OAKSHOTT, Supervising Inspector in charge of United States Post Office and Court House, New 1075.

"SIR-In reply to your letter of the 2d inst. you are advised that your action in accepting the proposals of Messrs, Heuvelman, Haven & Co. for supplying an iron truss at a cast of \$235 as a support for that portion of the root of the building under your supervision immediately above the large room in the fifth story over the Circuit Court room (made necessary by the removal of an insecure brick wail) is approved. You will please prepare and certify vonchers for the work, which will be paid up the dsbursing agent, C. A. Arthur, Esq., upon presentation, from linds in his hands under the appropriation for repairs and preservation of public buildings for 1877. Very respectfully,

"JAMES G. IIIILA, Supervising Architect"

The proposition of Heuvelman, Haven & Co., referred to, which Mr. Cuschett and acceptant as a subject.

"JAMES G. tilld., Supervising Architect"
The proposition of Heavelman, Haven & Co., referred to, which Mr. Oakshott had accepted, is as follows;—
"OFFICE OF HERVELMAN, HAVEN & CO., NOS. 77 AND SO LIBERTY STREET.

"Mr. T. H. OAKSHOTT., Superinondent in charge United States Post Office, New York:
"DEAR SIR—We propose to furnish one truss under the roof of the Post Office, on the Part tront, same as one shewn now in place, for the sum of \$203, Respectfully years,
HEUVILMAN, HAVEN & CO."

A memorandum in pencil explains the character of this

A memorandum in pencil explains the character of this truss.

The construction and delivery of this truss proceeded under the orders of Supervising Inspector Oakshott. Mr. Dougherty, also, under its direction snored up the roof, removed the attic wall, and the new trus was placed in position by contractors.

PRIOR TO HE ACCIDENT.

Mr. Oakshott states that, in consequence of other duties, he had but little time to devote to the Post Office, though he generally went through the building whose each day. On Moncay, April 30, Mr. Hill, accompanied by Mr. Oakshott, risited the Post Office and walsed through the process of the postform Mr. Hill, testifier the horizont where the accident occurred, the temporary shores being still in postform Mr. Hill testifier the horizont was missed and attempt to inspect was directed to the fact mat the Hill attention in the place. On the following day, May I. Wr. Dougherty, the foreman in charge, having reported the result of Mr. Oakshott to that effect, but apparently under his implied permission, proceeded to strike the temporary shores which area care. Commoncing at the south end of the truss, which rested on ben with a screw shore, removed the temporary support and cantinum playered the lean upon the seal of the top

ing at the south end of the truss, which rested on the corridor wait, he successively raised slightly each roof beam with a screw slove, removed the temporary support and cautiously lowered the beam upon its east on the top chord of the truss. The last slove so removed was nearest the north end of the truss and on the easterly side.

Within three to five minutes after it was taken out the entire section of roof which this now truss was designed to carry fell to the floor below, a calamity which has occasioned the present service of the commission. A comparison of the latter truss with the one adjacent and now standing, which was to be copied in the construction of the new die, reveals the fact of several important differences.

the new and consequently his proportion of superfluous trengt and consequently have dearned to the rest of several important difference.

(A plan of the model truss, made from actual measurement taken by the contantssion, is appended to the report and marken "A" has a plan of the new truss, a military measured, as it now lies marked "B," Photographic representation of a portion of the fallen truss are also added.

A plan accompanies this report:

The rafter "M, N," with its ties and braces to the vertical struct "O, I," is wholly omitted, and this struct being methor bothed to its above nor built into the wait, stood free without lateral support. Fine roof beams, instead of abouting influencementary bracing the upper chord in the properties of the properties of superfluous strength the factor of sainty, was correspondintly reduced, without lateral support. The roof beams, instead of abouting international consequently bracing the upper chord of the truss to which in the old truss they are secured by single truss to which in the old truss they are secured by single inches, and consequently bracing the upper chord of the truss to which in the old truss they are secured by single inches, and, consequently in and were not in any way secured to it. The truss was decreased in depth acont nine inches, and, consequently, the proportion of superfluous strength (the factor of saiety) was diminished.

Mr. Oakshott testified that he had directed the contractors for the truss—expression of the principle of superfluous attempts the factor of saiety was desired on this occasion by Mr. Inven—to measure accurately the truss adjacent to the russ bed to the russ bed to the russ to displace the contractors for the truss—expression of histories of histories of saiety about nine inches, so that the roof beauning that his and also timing its top chord, and that his and an in being out several nours they returned the following verdict:—

THE VERDICT.

THE COCOMET'S jury duly sworn to inquire into the cause of the death of Dennis Fleming, Charles H. Robertson and Patrick Johnson, find that they came to their death by the failing of a portion of the root of the New York Post Office on the lat day of May, 1877. We further find that the immediate cause of the failing of said portion of the roof to be from improper and insufficient construction; but that the primary cause of the disaster is attributable to the incompetency of the agents of the Treasury Denartment charged with the crection and completion of this building, and that the United States government is responsible for this calamity. We further find that an excessive quantity of concrete was used in the covering of the root, and that the force thereby imposed upon the iron root beams and their support exceeds the weight for which the iron construction was originally designed by more than three hundred per cent; that all of this is owing to incompetency on the part of A. B. Mullett, supervising architect in charge at the time they of was designed, and his local employes, and that the civil engineer, the only party appearing before us competent to design and compute methods of construction, has, according to the testimony, no authority incarrying out the town the supervising architect and his employes, not themselves technically intelligent, emitted to recur to his advice when

was on a slip of paper and is written in pencil. (Copy annexed.)

was on a slip of paper and is written in pencil. (Copy annexed.)

Mr. Haven's Claim.

Mr. Haven claims that this memorandum was an essential part of his contract; that he was not called upon to do any work not specifically set down on it, and that, as nortions of the truss used as a model—viz. Its principal rather with its braicing both lateral and to the adjacent struct were not enumerated in it—he was not required to supply them, and that in his opinion as this principal rather was also used as one of the ordinary rathers of the shanned roof, the truss was complete without it or any substitute for it; that in his opinion the roof weight was better pisced with the roof beams resting on the top chord of the truss than if they were abutted to it and secured by angle irons, and that in his opinion no other method of securing the roof beams to the chord of the truss was necessary.

Mr. Oskabot testifies that he had the atmost reliance in Mr. Haven's judgment and skill and in the areat experience of Mr. Dougherty; that he did not give the truss any formal inspection before its fall, or notice that it differed essentially from its required models; he had never accepted or approved it, nor specially directed the shores to be struck and the truss to receive its utimate lone.

Mr. Dougherty testifies that he noticed the difference, but considered it unimportant, that he did not report it to Mr. Oakshott.

Aracter.
GEO. B. POST, Architect.
A. J. CAMPBELL, Ironworker.
SAMPBELLOWDEN, Builder.
W. W. ADAMS, Superintensent of Buildings.
D. JARDINE, Architect.
W. H. G. DNEY, Carpenter.
W. H. G. DNEY, Carpenter.
THEO, WESTON, Secretary, Engineer and Architect.

IN THE CASE-THE UNITED STATES GOVERN-

The inquest held by Coroner Eilinger upon the vic-

Michael Schwartz, a mechanic, had heard Oakshott

Michael Schwartz, a mechanic, had heard Oak-hott and Dougherty converse about the girder on April 10, and Jacob Webber, who made the girder for the contracting firm, nonced that the beams supporting the roof and resting on the truss deflected, but and not speak to Oakshott about it.

The ovulence being now completed the jury was charged by Coroner Ellinger and withdrew. After being out several hours they returned the following verdict:—

time of the Post Office disaster was resumed yesterday in Equity Court chambers. The the witness called

MENT RESPONSIBLE.

and the truss to receive in tilinate load, the difference, but considered it unimportant, that he did not report it to Mr. Oakshott.

Coxollessor or the syldence of the did not report it to Mr. Oakshott.

Coxollessor or the syldence of the did not report it to Mr. Oakshott.

An examination of facts and measurements and computations made by the commission prove—

First—that its girder introluced under the wall when the sileration was made in the United States Court Room and falled had it not been for the fortunate fact that the brick wall which it supported was a particularly sound and strong one, and that it proved to be not only practically sell-austialing, but also on the principle that it contained a natural archi to have been able to note the weight of the roof besides, and that the said girder is so haushicing in precording that when new releved, as it was by the wall, from all the weight of the roof besides, and that the said girder is so haushicing in prevented the tool and all the weight of the roof besides, and that the said girder is so haushicing in the weight of the roof besides, and that the said girder is so haushicing in the weight of the roof besides, and that the said girder is so haushicing in prevented the fact that it happened to be constructed of exceptionally good fron, and that the floor above it has never been loaded by an ordinarily great weight, has prevented the Crimmal Court room theneath from having been the possible scene of a far more serious accident that that which has now necured in the room half inches, with a length of thirty five lest two and one-half inches, with a length of thirty five lest two and one-half inches, with a length of thirty five lest two and one-half inches, with a length of the floor above which it is still called upon to carry, your Commission, under the crimmal called, which carry substantially the same load, are proved by approved by the fact that many of its suspending rods are many load it was intended to carry is removed, and as under no condition is

changes were made by their authority. It appears that on the removal of a wall on the fourth story, the remainder of the wall on the fifth story left standing by order of A. B. Mullett, supported according to his direction, was supported by two light fifteen-inch 'ron beams, competent to carry only one-quarter of the weight imposed upon them; that this wall was recently taken out to be replaced by an iron truss, and that the cost of the truss was reported to the superintending architect at Washington, D. C. by the local superintendent here, and the expenditure approved by him, but no special drawing was made for the new truss and its outer support; that the understanding between the local superintendent and the iron workers was for a truss rimitar to another truss then in the building. It appears that neither the local superintendent nor said tron firm had the accessary technical information to correctly understand the functions of the truss needed or how such a truss should be constructed, and that in consequence its supporting the roof beams were removed.

Furthermore, we are of the opinion that the method now in vogue in the Treasury Department in Washington of designing and constructing government structures throughout the United States demands intelligence in local superintendents, in this or similar emergencies, which the government has certainly not in this case been successful in securing.

#### VACATING ASSESSMENTS.

AN IMPORTANT BILL BEFORE THE LEGISLA-TURE-MILLIONS OF DOLLARS INVOLVED-

THE CORPORATION COUNSEL'S OPINIONS. Mayor Ely has transmitted the following communi-cation of Corporation Counsel Whitney to the Speaker of the Assembly relative to a bill now before the Legislature, entitled, "An act to facilitate the removal of clouds and apparent liens upon title to real estate":-OFFICE OF COUNSEL OF CORPORATION, | NEW YORK, May 8, 1877.

Hon, Shith Ely, Jr., Mayor:—
Shi—I have examined, as you requested, Senate bill No.
1, now pending in the Assembly, entitled, "An act to hell-liate the removal of clouds any apparent liens upon title to gen leatate." itate the removal of clouds and apparent liens upon title to real estate."

The bill is very short and exceedingly comprehensive: it gives a right of action "to remove apparent or alleged liens or clouds up-n title created by and to promounce the invalidity of any instrument, deed, constract, mortgage, public record or proceeding or private writing affecting or referring to real extate which may be on file or of record with any clerk or in any public office or department within this State."

The second section provides the grounds upon which the The second section provides the grounds upon which the action may be maintained.— Fraud, frrequintry, legal invalidity or error charged or complained of with respect to such then, histement, dood, contract, mortgage, public record or proceeding, or private writing, "and whother such idefect is patent or otherwise.

I will endeavor to make plain just what this bill does. It affects both our taxes and assessments.

Consider first the subject of assessments.—

1. It provides a new form of action for the vacation of sacessments new causes of action or grounds for the vacation of sacessments.

the present form of remedy against unjust and fraudlent assessments is by summary potition to a Judge of the Sapreme Court, with right of appeal to Supreme Court, General Term and Court of Appeals. (Chapter 388, Laws of 1858, and the amendments thereto; chapter 388, Laws of 1854, section 27, chapter 388, Laws of 1857.

The present system o, procedure in these cases has been in practice for nearly twenty years, during which time nearly every question that can arise has been before the courts and been adjudicated, and the law and practice have become settled and systematized.

It is simple, summary and expeditions. It gives author ity to either reduce or vacate assessments as the facts may warrants.

There is certainly no occasion for a new form of remedy in these cases.

But (2) the real viciousness of the bill is, that it enacts new clauses or grounds for the vacation of assessments, likely to result, if the bill should be passed, in the loss of millions of Coliars to the city of New York.

Local improvements in New York city are made and paid for by the municipality out of moneys raised by the issue of bonds, and the city relies upon the assessments, which, in due course of precedure, come to be levied upon the property benefited by the improvements for the means to pay the bonds.

early benefited by the improvements for the means to pay the bonds.
For several years prior to 1872 these proceedings were conducted with great carelessness, and at all times is difficult to so conduct them that technical irregularities shall not occasionally occur.

For several years prior to 1872 the courts had held that under the then existing laws any "irregularity" was sufficient to warrant the vacating of an assessment, and a very large number of assessments had been vacated, amounting in the aggregate to militions of dollars, whereby the expense of co-thy improvements were shifted from the property owners benefited thereby to the shoulders of the general public, and millions were added to the already concernions city 4gbt. The evil resulting therefrom the Legislature sought to remedy by chapter 381 of the Laws of 1872, prohibiting the vacation of assessments "theretofore imposed" upon any other ground than fraud, except in certain specified cases of repayements. This prohibition was extended by chapter 311 of the Laws of 1874 to all assessments "theretofore or thereafter imposed."

If would seem that these provisions of law furnished the necessary and just protection both to the city and to the property owners, permitting the vacation of assessments upon the ground of fraud, our net for technical irregularities in the course of the professions. The emacting of those top the vacation of assessments.

Hy this bill the old rule is restored, and substantially to

The inquest held by Coroner Editinger upon the victims of the Dest Office chains or was resumed potentially in Equity Court chambers. The the "r tuess called was Mr. Mullet. He testified as the second of the destination of the control of the testification of the testification of the control of the first of a simple of the waste of the process of the billion of the left of a simple of the waste of the control of a floor and a wall parpose of the wall; the wall was removed on the following the control of a floor and a wall parpose of the wall; the wall was removed on the following the control of the floor of the floor of the control of the floor of the control of the floor of the floor of the control of the floor of the floor

pear in Newark up to yesterday created considerable gossip if not excitement in official and insurance circles. Judge Guile, Noyez' bondsman, expresses the fullest confidence that Noyes will turn up.

Mr. Noyes has been at the Astor House in this city during a portion of the present week. In the event of his non-appearance for trial to-day his bondsman has been fully indemnified against the loss of \$5,000 bail. It is believed that the trial will be proceeded with whether or not Mr. Noyes is prosent. According to the New Jersey statutes a person that has furnished bail in answer to an indictment has admitted the jurisdiction of the couri, excepting in cases of folony. Governor Robinson's rositros.

A letter has been received at Newark from one of the State officers at Abany, in which he says that Governor Robinson would not grant the papers asked for until it was substantially shown that the offence was actually committed in the State of New Jersey. Otherwise, supposing the offence to have been committed in this State, he could not properly consider them fugitives from New Jersey justice. The letter finimated that should this omis-ion in the papers be supplied Governor Robinson would give the matter another nearing. The point thus made is considered to be a strong one, and it is possible that new and corrected indeciments will be presented.

The Grand Jury will resume active investigation today. Among those who have been summoned to appear before them are it. C. Martin, Henry A. Jones, D. F. Fackler. Henry W. Smith, George J. Schemerhorn, F. J. Muffigan, J. R. Canniff, Daniel J. Noyes and the bookkeeper of the Chemical National Bank. From this list of witnesses it would appear that the jury propose looking further into the transfer of the \$30,000 in cash to Benjamin Noyes which he receiped for, but claims never has been in his possession. The checks given were drawn on the Chemical Bank and \$12,000 of the money was withdrawn on the day following the tran-ter of assets. It is for the alteged division of this mone

## LAUREL HILL'S DEFENCE.

TO THE EDITOR OF THE HERALD :-I deny the statement made in your report of the Daly suicide, published on Monday, that the parties who were interfering with the late unhappy Mr. Daiy's property had come from Mr. Fisherty's house. I never mentioned Mr. Fisherty's name in any torm or shape, directly or indirectly. The effenders were supposed to belong to Wilmansborg and strangers to Laurel Hill.

WILLIAM O'GORMAN.

## A NAUTICAL GYMNAST.

There is a schooner lying off Stapleton, one of the arlors of which has for some time past been amusing the idiers on the dock by gymnastic performances. He ascends to the rope or stay, which extends from one must to the other, and there performs trapeze acts which would do credit to a circus performer. He is a subject of special attraction to the coroners.

#### THE ANNIVERSARIES.

AMERICAN FEMALE GUARDIAN, HOME MISSION-ARY AND AMERICAN TRACT SOCIETIES.

The forty-second annual meeting of the America

Female Guardian Society and Home for the Friendless was held at the Home, No. 29 East Twenty-ninth street, resterday. Mrs. Wykoff, of Brooklyn, offered the pening prayer at half-past ten o'clock. Singing and the reading of Scripture followed, and the various reports for the year were read. The Board of Managers was elected, and the following officers will be re-elected at a meeting to be held on Wednesday next:-President, Mrs. C. C. North; Corresponding Secretary, Mrs S. R. I. Bennett; Recording Secretary, Harris Wilson; Visiting Secretary, Mrs. S. M. Ambler. Previous to the morning session a prayer meeting was held in the committee room on Thirtieth street. At one o'clock the Board adjourned for lunch, meeting again at two P. M. The children. to the number of 250, assembled in the chapel and spent an nour or so in singing and other exercises. The well known Quaker lady, Mrs. Isaac Collins, addressed the children on temperance and religious subjects. The exercises concluded at four o'clock. From the secretaries' reports it appeared that during the past year the Home has sheltered 1,018 inmates, 21,429 persons have been aided, and the whole number of ap-

pications, &c., personally attended to numbered 13,033. Homes have been provided for 127 children—by adoption and otherwise—and thirty-three children nave died. The Home has in charge eleven industrial senools, in which the names of 6,456 children have been registered. Upward of 13,000 garments have been distributed, 59,000 leaves of bread disposed of and 7,000 visits made by the teachers and committees. The receipts of the society, from January, 1876, to January last, tear of the society, from January, 1876, to January last, tear of the society, from January, 1876, to January last, tear of the society, from January, 1876, to January last, the fitty-first annual meeting of the American Home Missionary Society was held at their rooms in the Bible House yesterday afternoon, at four o'clock. Mr. Charles Demond, of Hoston, Treasurer of the Massachusetts Home Missionary Society, presided, and the meeting was opened with prayer by the Rev. William M. Taylor, D. D., of New York. The treasurer's report was read and adopted. The annual report of the Executive Committee was also adopted and ordered to be printed. On report of a committee of nomination a list of officers was elected for the ensuing year. The President elected was Rev. Theodore D. wooley, D. D.; Treasurer, William Henry Smith, and Recording Secretary, Austin Abbott, There were also thrity-four vice pr. sidents, fifty directors, three corresponding secretaries and one additor elected. The society the and of our recording secretaries was additionally the secretary Austin Abbott, Corresponding Secretaries Rev. David B. Geo. D. D.; Rev. Alexander H. Ciapp. D.; Rev. Henry M. Storrs, D. D. Other members—Mr. John B. Huuchinson, chairman; Mr. Christopher R. Robert, Simeen B. Chittenden, Rev. Richard S. Storrs, D. D.; Rev. William M. Taylor, D. D.; Mr. John Wiley and Mr. William G. Lambort.

The American Tract Society me at the Presbyterian Church (Dr. Crosby's), corner of Fourth avenue and Twenty-Second stress, yeared that the effect of curtaining the operations o

## BROOKLYN Y. M. C. A.

The sum of \$6,000 has been pledged to the Brooklyn Young Men's Christian Association, and it is to be used to pay off part of the debt of \$7,500 at present existing against it. The association, therefore, will not suspend. ARE DOING. The Liquor Dealers' Association, represented by

## A PASTOR'S TROUBLES.

REV. MR. M'CAFFRAY'S CHARGE AGAINST POLICE

Officer Foley, of the Twenty-first precinct, was brought before the Police Commissioners yesterday on a charge preferred against him by the Rev. Mr. McCaffray, of No. 558 Lexington avenue. The specifications relate that on the evening of the 22d of March this officer arrested the reverend gentleman outside of his church without a warrant or any evidence to justify such a summary proceeding. Rev. Mr. McCaffray stated the case in very forcible language, assuring President Smith that he was locking up his church or Third avenue, near Thirty-seventh street, and was about retiring peacefully to his home, when Mrs. Leavitt asked Officer Foley to "arrest that man," and Foley did so, never inquiring whether the charge about to be preferred against the

and Foley did so, never inquiring whether the charge about to be preierred against the prisoner was for an offence committed on that night or not. "Mr. President," said the Rev. Mr. McCaffray, who was attired in sombre black of clerical cut, "this officer thea took hold of me and despite my protest marched me along the eastern side of Third avenue in full view of a crowd of persons whose attention was attracted to me by the officer saying, "I've got him." The arrest was altogether maliciously made and carried out in an unofficer-like manner." In rebutial Officer Foley stated that he had been directed by his sergeant to go to the place where he found Mr. McCaffray, whom he did not take to be a ciergyman, and Mr. and Mrs. Leavitt, who with their triends were, indignant and threatened to injure Mr. McCaffray for having done something to the lady. She called upon the officer to arrest Rev. Mr. McCaffray, saying, "He has assaulted me."
"Did he lay his hands on you?" said the officer.
"He did," replied the lady. "He caught me by the bands, kissed me, and, asking me to go inside the church with him, made improper proposals. I want you to arrest him for indecent assault." Then Foley went on to tell that he asked McCaffray about the charge and he made no special denial of it. Belleving that the affair bad taken place on that evening rather than on the Thursday week previous, he took all the people to the station house as much to save Rev. Mr. McCaffray from personal violence from Mrs. Leavitt's friends as to have the thing cleared up. General Smith thought the officer had acted indiscrectly in not asking at what time the assault had been mane; but Mr. and Mrs. Leavitt, as well as a brother officer, corroborated Foley's statement. This officer put in as supplementary delence that he has been on the force more than ten years and has never had a charge preferred against him by a citizen. Rev. Mr. McCaffray bad no witnesses. No action was taken by the Commissioners.

## CONCERNING THE DOCKS.

The Dock Commissioners at their meeting yesterday atternoon received from the Police Board a letter requesting them to make a survey of Hart's Island, and to furnish estimates of the cost of erecting crio work around it. As the letter was couched in somewhat vague terms the Commissioners decided not to con-

vague terms the Commissioners decided not to consider the request until they should ascertain just what the police authorities want.

At a previous meeting of the Dock Commissioners the French Transatlantic Company, which pave \$30,000 a year rent for its pier, asked to be excused from furnishing the \$60,000 security demanded, and setting forth that they had erected upon the pier a shed and other improvements to the value of about \$50,000, which in case of their failure to pay a single quarter's rent would be foreleted to the city. This the company thought was sofficient security of their good faith. The Commissioners wrote for the opinion of the Corporation Counsel as to whether they had power to wave security in such a case, and yesterday they received from that official an opinion setting forth that they had full power to do as they thought bess. Thereupon it was decided to ret the company have the pier without security on condition that it pay the rent quarterly in advance.

The other business transacted at the meeting was of a merely routthe character.

## NORTHERN PAGIFIC.

The stockholders of the Northern Pacific Railroad Company held a meeting yesterday forenoon at No. 23 Fifth avenue. The action of the Directors at a meeting held earlier in the day was reported. At the Directors' meeting the Finance Committee reported adversely on the placing of a mortgage on that portion of the line now in operation on the Pacific coast. The contemplated finishing and equipping of the branch to the Pingaliup coal fields, it is believed, can be accomplished without issuing a mortgage.

#### OUR SOLDIERS' GRAVES.

COMPLETING THE ARRANGEMENTS FOR DECO-RATION DAY-BOTH BLUE AND GRAY TO BE

The following circular has been issued from the New York Department Headquarters of the Grand Army of the Republic, with reference to the manner

of observance of Decoration Day :-

of observance of Decoration Day:—

HEADQUARTERS DEPARTMENT OF NEW YORK, GRAND ARMY OF THE REPUBLIC.

ROOM 130 TRINITY RULLING.

No. 111 BROADWAY, NEW YORK, May 7, 1877.

I. On the 30th inst, duty and inclination allke will call us to go out, as in the past, and strew with flowers the "windowless palaces of rest" where repose the mortal remains of our conrades gone before. The Commander is confident that no official adjuration is necessary in order to impel every comrade to do his full share, in order that the deeds of the dead and the instincts of the parts of the liveless of the dead on the instincts of the nearts of the lively as by showing them on such occasion may alke do justice to the minds of the rising generation a spirit of devotion to county as by showing them on such occasions as Becoration Day the esteen in which those who died for the nation are held.

by the esteem in which those who died for the nation are held.

11. The Comman'er embraces this opportunity to repeat the suggestions which it was his privilege to make one year ago, via. '—That wherever practicable memorial sorvices be held in the evening as well as in the day, that such services be held in some public hall, the clergy generally invited to participate, and, firthermore, that while paying our respects to the memory of the dead, we do not lorget the claims of the livin; but that the opportunity of such evening services be ambraced to present to the public the necessity of a soldiers' flome in New York, and collections taken thereafter in aid of the fund. We shall never have performed our full duty to comrades dead and comrades living until we have taken from the poorhouses of the State the 641 veterans who now are dragging out a disgraced. Sixtence within their portals. It! With the gradual but constant thinning out of our ranks by the hand of Death it is evident to all that in a few years the active spirits of our organization will be numbered among the trand Army of the past, and our decoration ceremonies entrusted to other hands. In view of that it is cited in the content of the content of the state of the st

lasts, as by this founding in its heart a future national on servance.

IV. The Commander, after mature deliberation, most carnestly recommends to the various Memorial Committees in this Department that they extend to such ex-Confederate in this Department that they extend to such ex-Confederate in this Department that they extend to such ex-Confederate invitation to turnout excluding in their confideration of the such that it is not the stand on the vantage ground of the victor in the dead strife, and can well afford to perform this act. On the battle flex we someth their lives simply because we would preserve to the children of all of us the blessings of the Union. There was no personal harted in it all. We conquered, and these men remain American citizens—our brothers, with equal rights and privileges.

was no personal natred in it all. We conquered, and toese men remain American citizens—our brothers, with equal rights and privileges.

For years past the comredes of New York and Brooklyn, in their annual pigrimage to the bivouse of the dead of both armies, at Cypress rills, have not tained to leave, alike on the graves of the Union and Confederate dead, sweet tokens of remembrance.

It was a Christian act and needs no excuse; it commands our commendation. To such a spirit must this country look for the accomplishments which, in the future are to place her far higher on the roll of nations than she has yet stood. And as we stand, clasping hands on our Memorial Day, while the tears of lond cemembrance may obscure earthly vision, so it may be difficult to see which rest under the laurel and which inder the willow: and as we turn our vision toward the western horizon of the Republic's existence, all shall be enabled to witness such a promise of future national grow as shall amply recompense for all the toil, suffering and bloodshed of the past.

Tost Commanders and has thairmen of joint Memorial forth Commanders and has thairmen of joint Memorial of the Chaptain of the Department are requested to an except the Chaptain of the Department are requested to James Stands on the Chaptain of the Department and the charter, Plymouth, Chensing county, N. V. sy command of James Tannak, Plymouth, Chensing county, N. v. sy command of Geo. B. SQUIRES, Assistant Adjutant General.

#### THE PUBLIC OFFICES AT THE NATIONAL CAPI-TAL ORDERED CLOSED.

WASHINGTON, May 9, 1877. The following notice has been addressed to the beads of the departments and to the Public Printer:beads of the departments and to the desire of the several departments of the government will be closed on Wednesday, the 30th inst. to enable the employer to participated in the decoration of the graves of the soldiers who foli during the receilion. I am, sir, your obedient servant.

W. K. ROLERS, Secretary.

ARMY OFFICERS AND THEIR PAY.

TO THE EDITOR OF THE HERALD:-The army has to go without pay for four months officers with families and children to educate live up to the last cent of their salary every month. They to the last cent of their salary every month. They will be obliged to hypothecate their pay accounts for this period at about 100 per cent per annum. That is about the charge demanded by those who "shave" pay accounts. Why will not some particular men of wealth offer to advance this money to officers at seven per cent interest? It would be an entirely sale investment and would be an act of true philantiropy. I don't require this for myself, as I am among the few fortunate ones having some resources outside of my pay; but I feel for the distress of the old officers with I amities. Will you agitate the subject? For obvious reasons please not mention my name, but call me ARTILLERYMAN.

## LAW AND LIQUOR.

EFFECT OF THE FAILURE OF THE STATE LEG-ISLATURE TO MODIFY THE EXCISE LAW-WHAT THE LIQUOR DEALERS SAY AND WHAT THEY

Mr. Harry Cunningham, the president, gave up any further hope that the State Legislature would relieve the liquor trade from the difficulty it finds itself in by the recent decision of the Court of Appeals when a telegram was received early yesterday morning saying "the Excise fight is lost." Mr. Cunningham said:—

"the Excise fight is lost." Mr. Cunningham said:—

"to aid us, who, though living in one of the most benatitul environs of the city, yet find it nearly as inaccessible as either of the above places as far as rapid give Highbridgeville more trains at hours to suit business men and women? The Eighth avenue road would do a clever thing to put dummies at once upon cided against our rights as individuals, or rather against the rights of those who are dependent on us; but beyond the legal reading given to the decision of but beyond the legal reading given to the decision of the Court of Appeals they have established nothing. The license law of 1857 was allowed to remain in force until 1877. It was only after having mulched the liquor men of licenses for twenty years that it was discovered that the law should be repealed. Why should it be repealed? We have conformed with every phase of it, and if they choose to resuctive dead and decayed decisions against us we can only throw ourselves on the common justice of the people. It is not a question now of whether those who sell liquor have been beating the License Board, but whether a man who pays his money for the privilege of carrying on his business is to be allowed to do so if people opposed to him in opinion do not like it. A grocer or shoemaker might just as easily have his shop closed by a rival because the rival wanted a clear field for himself as the barroom keepers can be suppressed by legislation."

The east s de liquor dealers are rather disposed to be combative, and are ingenious in their mode of evading the letter of the law. One of these said yesterday to a reporter of the Hanalb, "I couldn't run a beer saloon without selling hiquor is it. Five out of ten of the men who come to my places—for I have four of them—want spirits, and if I cannot provide them with them they go somewhere else. Yet in two of my stores I couldn't possibly find room for three beds. I intend to put them up in the other two,"

In many of the saloons the conditions of the law had been compiled with by placing very small cots in very dark closets.

The Brooklyn Board of Police and Excise Commissioners yesterday sent a general order to the captains of the several precuests the Court of Appeals they have established nothing.

sioners yesterday sent a general order to the captains of the several precincts instructing them to report as to the character and reputation of applicants for inn-ke-per's incesses, the exact number of spire beds and bedding kept by them for the accommodation of travellers, and as to whether they can furnish meals.

## TEMPERANCE IN JERSEY.

The seventh annual convention of the Catholic Total Abstinence Union of New Jersey was held at Grand Street Hail, Jersey City, yesterday. One hundred and thirty delegates, representing thirty-four societies, were present, besides the following priests:—Fathers Hennessey, Burke and Esser, of Jersey City; Corri-gan, of Hoboken; McNulty, of Paterson; Heiland, of Trenton; McCarthy, of Dover; Hogan, of Harrison, and Schneleer, of Passaic. Father McCarthy was elected chairman.

After the examination of credentials Father McNulty, of Paterson, was elected president of the union for the

address.

Prayer was then offered by Father Hennessey, after which the Convention adjourned. In the evening there was a temperance gathering in St. Michael's schoolhouse, at which several audresses on temperance were delivered and great enthusiasm was mani-

## NO COMPROMISE.

A few days ago John Berthaut, temporarily residing at No. 91 Greene street pending his departure for Europe, was swindled out of \$235 by two Italian confidence men named Gruseppe Colembo and Gruseppe Torchio. They were arraigned before Judge Wandell at the time and held for trial. Officer Teraro, of the Court Squad, while working up another similar case, Court Squad, while working up another similar case, yesterday discovered that Berthaut had secured passage for Europe on the steamer Canada, having received from friends of Colombo and Forchio the full amount—\$235—in heu of an order on the property cierk for that amount, taken from the two men. lierthaut was brought before Judge Wandell yesterday afternoon, and that magnatrate thought proper to commit him to the House of Detention in default of \$1,000 ball, to insure his presence as a witness against Colombo and Torchio.

## THE FOUNTAIN GUN CLUB.

Club, of the county of Kings, was approved yesterday by Justice Barnard, of the Kings County Supreme Court. The club is organized for the enforcement of the game laws and ordinances, to prevent the miawful and inhuman destruction of game, and for improve-ment in the use of the gan. The club is also designed to bring together in social intercourse the sportsmen of the county.

#### OUR COMPLAINT BOOK.

[Norg.-Letters intended for this column must be accompanied by the writer's tull name and address to insure attention. Complainants who are unwilling to comply with this rule simply waste time in writing.-ED. HERALD.]

BECOMS THIS WAY.

TO THE EDITOR OF THE HERALD :-Please call the attention of the Street Cleaning Department to Fifty-fourth street. It has not been cleaned since last summer. H. S. Q.

CLEAR THEM OUT.

TO THE EDITOR OF THE HERALD :-I would ask through your valuable paper way the police captain of the Twentieth precinct allows a gang of loafers to congregate on the corners of Eighth ave-nue and Thirty-eighth street, insulting every lemaic and passers-by. H. J. R.

TO THE EDITOR OF THE HERALD :-A dead goat has been lying in front of my house for

A DEAD GOAT.

three days. The policeman No. 1,212 says "Go to hell, and notify the health tolks." E. P. W. A QUESTION OF FINANCE.

TO THE EDITOR OF THE HERALD:-Can you spare me a little space in your Complaint Book" to ask what they are going to do with the pro-ceeds arising out of the moneys paid for heeness to keep dogs? PRO BONO PUBLICO.

TO THE EDITOR OF THE HERALD :-Is there any way to reach the unruly children of the avenues, there are fifteen or more children living mainly on the north side of the street. They have snow and other balls, bean shooters, pisiols with cape among their lesser amusements. Last winter one of our neighbors had three panes of large size glass broken, and no one did it, of course. If spoken to many repty impudently and pay no attention. The police chat with them, and never interfere with chalk marking or whisting. While I write they are going from plot to plot tearing up the young grass and petiting each other. Is there any way to make them stop away from the stoops and grass plots of people who have no

#### MANURE AND SWILL MILK. TO THE EDITOR OF THE HERALD :-

I would respectfully ask your kind permission to call stiention by means of your "Complaint Book" to the disgraceful and unhealthy condition of the lots situate in East Fifteenth street, between avenues B and C. It is in East Fifteenth street, between avenues B and C. It is a great nuisance. Scavengers' trucks and carts stand there during the day while the proprietors of the manure dump are having manure hauled to and fro. The attention of Mr. Bergh, and health authorities is also called to the cow stables in rear of these lots. The cows are confined in close, dirty stables, being fed on swill, rotten apples, &c. It is also almost impossible to stand the smells arising from these lots, and much of the prevailing sickness among the children of this neighborhood must be caused by this nuisance on loig Nos. 610 to 612 East Fitteenth street.

G. P. M.

TO THE EDITOR OF THE HERALD:-Eldridge street, between Rivington and Stanton, is a disgrace to the ward. No decent woman can pass by without being insulted by females of ill repute. My with was insulted last week, and complaints at the Tenth Precinct station house did not relieve us of this nuisance. If Captain Kass would take a waik infraugh that block in the evening he would see for himself that it is really so. Will the Police Commissioners please send us that hero, Japtain Whitains, for a little while, and we taxpayers will be happy to receive him?

G. M.

#### CHURCH SEATS FOR STRANGERS. TO THE EDITOR OF THE HERALD:-

Some weeks ago I walked a long distance to attend service at Dr. Hall's Church, Fifth avenue. When ! entered there were not a dozen persons in the body of the church; I stood nearly an hour, and, unable from exhaustion to remain standing longer, returned home. No seat was offered me nor did I see any ar-rangement for providing any. AN ELDERLY LADY AND A CHURCH MEMBER.

#### A CHANCE FOR EXPLANATION.

TO THE EDITOR OF THE HERALD:-Some months ago a monster entertainment was given at the Hippodrome, and it was advertised that the proceeds were to be given to the poor of the Twenty-first ward. Some of the prominent politicians of that ward were upon the committee having the matter in energe, and I should like to ask them what has been done with the proceeds? TWENTY-FIRST WARDER.

## A CRY FROM HIGH BRIDGE.

TO THE EDITOR OF THE HERALD:-Since you have successfully pushed your way into the dense jungles of Africa and the swamps of Fiorida, not to mention, last, though not least, the horrible highways and byways of New York city, I entreat you would do a ciever thing to put dumines at once upon the upper part of its road and so accomplish rapid transit for a large and grateful number of persons who now depend upon it for daily carriage to and from the

## BOTH SIDES OF THE SPITZ QUESTION.

TO THE EDITOR OF THE HERALD :-I am surprised to see that you are raising such a hue and cry against the Spitz dog. To say that the bite of and cry against the spitz og. To say that the bite of a Spitz dog is more venomenous and capable of producing hydrophobia oftener than the bite of any other member of the canine race is simply about. That the temper of the Spitz is more quick and fittin I grant, but that it should be exterminated for this and for the imaginative idea of its oldebeing more harmful is unjust and barbarous.

A. J.

To rus Entrop or the Herald:— TO THE EDITOR OF THE HERALD:-

Since you have done so much good in the matter of Spitz dogs, will you kindly see what you can accomplish in getting rid of a more dangerous brute? In plish in getting rid of a more dangerous brute? In the rear of No. 310 West Thirty-eighth street, back of a pair of stairs, is kept a dog as large as a good sized fear, as black and as savage. The stairs being open the dog can easily put his head through or around them and seize any person who may be ascending. I have narrowly escaped twice only by jumping three or four steers. The dog is cusined, but his chain is so long that he has plenty of play, and, it it were short, the strongest of chains is hable to break with the sudden jerk of his ponderous body flying at any serson he may see.

AN OLD SUSSCRIBER.

TO THE EDITOR OF THE HERALD:-I am surprised at the extreme course you have taken in regard to the Spitz dog. I am an admirer of the canine race, and naturally feel indignant at the cry that is being raised against the same, particularly the Spitz dog. My experience does not carry out your views. I think the Spitz dog as harmless, as regards his bite, as any other dog.

C. C. T.

#### DANGERS OF THE PARK. TO THE EDITOR OF THE HERALD :--Last Sunday evening I took a young lady friend for

a stroll through the Park. We sought scats near the entrance at Broadway and Eighth avenue, but were compelled to walk on until near a pile of rocks we discovered a seat, which we took. Being protected from the chilly wind by some high ground and shrubbery and rocks near us, we sat comfortably, charting together. We must have sat there some time, for my companion remarked, "I think it must be late; I hear no one walking through the Park." I looked at my watch, but could not see the time. The lady rose, and suddenly she remarked, "Look! there is some one coming." I turned quickly, and against the garlights from a subken street close by I observed a ligure crouching down and approaching under cover of the shadow made by the high ground. I was rather startled, as was the lady, and I supposed at once that some man intensed to deal me a clow and rob me in that lonely part of the Park. I was unarmed, without a cane eyen, and left very much concerned, especially as I had a lady with me. When the man became aware that he had been discovered he ran to us velore we had time to know what to do or what to expect, and seried the lady by the arm. She at once draw back and excessined, "Don't you dare to louch me," and then I saw that It was a Park policeman. Now, sir, I cannot conceive what object the rough fellow had in approaching us in the manner he did. We were sitting hear a waik, not at all covered from view. Our figures could be seen distinctly against the sky by any one passing by. We made no attempt at concessiment, and our conversation was carried on in a lond voice, and frequently with laughter. The excuse the fellow gare when I asked him what he wanted was, "It is time to go out." together. We must have sat there some time, for my

and frequently with laughter. The excuse the fellow gave when I a-ked him what he wanted was, "it is time to go out."

I desire to call the special attention of the Park Commissioners to this unwarranted case of importment intrusion by the policeman; for if they will not employ proper persons to guard and protect visitora to the Park, and will retain rufflams who go about at dark, secreting themselves, in order that they may pounce upon respectable people who go out for a breath of fresh air, who mind their own affairs, and who do not violate any laws of propriety by sitting in a public park in plain view of all people passing, then they must not be surprised if some time respectable people take the law into their own hands and there and then deliver a castigation to the offending brute, which he so righly merits. Because aware that I had no means of defence and that the rufflan could call for assistance, and in consideration for a timid, nervous and sick gir, who with me might be compelled to spend a night in a station house—a terrible disgrace to a respectable lady—I said nothing, but moved on meekly.

CENTRAL PARK.

The certificate of incorporation of the Fountain Gun